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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,667	12/17/2001	Saori Nishimura	P 290482 T4MH-01S1002-1	5115
7590 12/31/2003			EXAMINER FUREMAN, JARED	
Glenn J Perry PILLSBURY WINTHROP LLP 1600 TYSONS BOULEVARD MCLEAN, VA 22102			ART UNIT 2876	PAPER NUMBER

DATE MAILED: 12/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Applicati n No.

10/015,667

Applicant(s)

NISHIMURA, SAORI

Examin r

Jared J. Fureman

Art Unit

2876

-- Th MAILING DATE of this communication appears on the cover sh t with th correspond nce address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-12 is/are allowed.
- 6) ☒ Claim(s) 13-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

Receipt is acknowledged of the IDS filed on 12/7/2001, which has been entered in the file. Claims 1-16 are pending.

#### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### ***Claim Objections***

2. Claims 1-3, 5, 6, 8, and 13-15 are objected to because of the following informalities:

##### **Claim 1:**

Line 1, "IC" should be replaced with --integrated circuit (IC)--, in order to clarify the claim.

Line 7, "the" should be deleted.

Claim 2, line 4: --card-- should be inserted before "issuance", in order to maintain consistency with "card issuance section" as recited in claim 1, line 21.

Claim 3, line 3: --a-- should be inserted before "type".

##### **Claim 5:**

Line 1, "IC" should be replaced with --integrated circuit (IC)--, in order to clarify the claim.

Line 10, "the" should be deleted.

Claim 6, line 3: --issuance-- should be inserted before "count", in order to clarify the claim.

Art Unit: 2876

Claim 8, line 3: --a-- should be inserted before "type".

Claim 13:

Line 1, "IC" should be replaced with --integrated circuit (IC)--, in order to clarify the claim.

Line 12, "the" should be deleted.

Claim 14, line 3: "issuance" should be replaced with --issuing--, in order to maintain consistency with "issuing" as recited in claim 13, line 13.

Claim 15, line 3: --a-- should be inserted before "type".

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

3. Claims 13-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 13 recites the limitation "said identification information readout command data" in lines 7-8. There is insufficient antecedent basis for this limitation in the claim.

***Allowable Subject Matter***

5. Claims 1-16 would be allowable over the prior art of record upon correction of the claim objections and claim rejections under 35 U.S.C. 112 2<sup>nd</sup> paragraph, discussed above.

6. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record, taken alone or in combination, fails to teach or fairly suggest: an integrated circuit card (IC) issuance system and method wherein

identification information, included with issuance data stored in an IC card, is read out of a first issued IC card, the identification information is used to retrieve the issuance data from an issuance file which stores each item of issuance data during issuance of each issued IC card, and then a second IC card identical to the first IC card is issued by writing the extracted issuance data into a memory of an unissued IC card, in combination with the other claimed limitations as recited in the claims.

The closest prior art of record, Yamada (US 5,479,003), teaches a card issuance apparatus (1), system and method including reading identification information (contained in bar code 42) from a card (41, which may be an optical card, IC card, magnetic card, etc.), extracting issuance data using the identification information, and issuing the card using the extracted issuance data (see figures 1, 3, 4a, 5, column 1 lines 10-26, column 2 lines 30-56, column 3 lines 31-39, column 4 lines 7-60, column 5 lines 53-64, column 6 line 49 - column 7 line 9, column 7 lines 35-43, column 7 line 65 - column 8 line 6, column 8 lines 32-50, column 9 lines 1-25, and column 10 lines 15-31). However, Yamada teaches that if data writing or printing to the card fails, then the automatic issuance treatment must be repeated (see column 9 lines 11-25). This suggests that the entire procedure is repeated using a new unissued card. Thus, Yamada does not teach or suggest reading the identification information from a first card in order to extract issuance data to be used to issue a second card that is a duplicate of the first card.

**Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Seiler (US 5,648,647), Chiba et al (US 5,714,743), Kobayashi et al (US 5,959,278), Meyer-Wittreck et al (US 6,082,617), Kuit (US 6,105,861), Nishimura (US 2002/0114468 A1), Ono et al (US 2002/0139860 A1), Sasou et al (US 5,592,400), Du et al (US 2002/0029348 A1), Sasou et al (US 5,463,208), Fujimoto (JP 2001-300108 A), Lisimaque (EP 1 034 517 B1), Suzuki (JP 10-124621 A), Endo (JP 58-109970 A), NEC Corp. (JP 11-328322 A) all teach card issuing systems and methods.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jared J. Fureman whose telephone number is (703) 305-0424. The examiner can normally be reached on 7:00 am - 4:30 PM M-T, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

September 8, 2003

*Jared J. Fureman*  
Jared J. Fureman  
Art Unit 2876